

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 59-116 are pending in the application. Claim 100 is amended by the present amendment. As amended Claim 100 is supported by the original claims, no new matter is added.

In the outstanding Official Action, Claim 100 was rejected under 35 U.S.C. §112, second paragraph; Claims 76, 77, 84, 85, 92, 93, and 100 were rejected under 35 U.S.C. §102(b) as anticipated by Gaskill et al. (U.S. Patent 5,481,254, hereinafter “Gaskill”); Claim 109 was rejected under 35 U.S.C. §103(a) as unpatentable over Gaskill in view of Rinchiuso et al. (U.S. Patent 6,104,709, hereinafter “Rinchiuso”). However, Claims 78-83, 86-91, 94-99, 101-103, 110 and 111 were objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and Claims 59-75, 104-108 and 112-116 are allowed.

Applicants appreciatively acknowledge the allowance of Claims 59-75, 104-108, and 112-116 and the indication that Claims 78-83, 86-91, 94-99, 101-103, 110 and 111 include allowable subject matter.

With regard to the rejection of Claim 100 under 35 U.S.C. §112, second paragraph, Claim 100 is amended to recite “receiving from the information distributing apparatus.” Accordingly, Claim 100 is in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claim 76 under 35 U.S.C. §102(b) as anticipated by Gaskill, that rejection is respectfully traversed.

Amended Claim 76 recites, *inter alia*, a multicast service providing method, wherein:

the information distributing apparatus informs all the radio terminals present in the service area of information for

identifying multicast information on distribution and ***radio channels*** used for the distribution of the multicast information by using a single message sent on a predetermined radio channel...

The outstanding Office Action cited column 7, lines 1-35 of Gaskill as describing this element. However, the cited portion of Gaskill only describes that each paging device 12 receives a message 18 transmitted in a time slot or slots associated with the paging device 12. There is no teaching or suggestion in Gaskill that the information in message 18 includes ***radio channels***. The cited portion of Gaskill only describes that the paging device receives message 18 during its predetermined time slot or slots. “When the intended paging device 12 activates during ***its associated time slot***, it collects the message packet 18 shown in FIG. 3 and, after verifying address field 18a as matching its address, accepts the group message subscription configuration data field 18b to enable or disable collection of particular information subscription services.”<sup>1</sup> Further, message 18 only includes address and message information, not radio channels for receiving multicast information. “In particular, the address field 18a employed by the receiving paging device determines if a message field 18c is to be collected and further processed, i.e., whether the message field 18c is intended for that paging device.”<sup>2</sup> Thus, address field 18a includes information as to whether each paging device 12 has access to the message data 18c. Again, there is no teaching or suggestion in Gaskill that the information in message 18 includes ***radio channels***. Therefore, Gaskill does not teach or suggest “the information distributing apparatus informs all the radio terminals present in the service area of information for identifying multicast information on distribution and ***radio channels*** used for the distribution of the multicast information by using a single message sent on a predetermined radio channel,” as recited in Claim 76.

---

<sup>1</sup>Gaskill, column 5, lines 11-17. (Emphasis added.)

<sup>2</sup>Gaskill, column 8, lines 39-43.

As Gaskill fails to teach or suggest the above cited feature of Claim 76, it is respectfully submitted that Claim 76 (and Claims 77-83 dependent therefrom) is not anticipated by Gaskill and is patentable thereover.

Further, independent Claims 84, 92, and 100 also recite that information including multiple *radio channels* are sent in a single message. Consequently, Claims 84, 92, and 100 (and Claims 85-91, 93-99, and 101-103 dependent therefrom) are patentable over Gaskill for at least the reasons described above with respect to Claim 76.

With regard to the rejection of Claim 109 under 35 U.S.C. §103(a) as unpatentable over Gaskill in view of Rinchiuso, that rejection is respectfully traversed.

Claim 109 recites in part, “radio channel information transmitting means transmitting information of a plurality of radio channels used for distributing the multicast data in a single message in response to the distributing request for the multicast data given by the radio terminal.”

The outstanding Office Action cited Gaskill as describing this element. However, as noted above, Gaskill does not teach or suggest “transmitting information of a plurality of *radio channels* used for distributing the multicast data in a single message.” Accordingly, Gaskill does not teach or suggest “radio channel information transmitting means” as defined in Claim 109. Further, it is respectfully submitted that Rinchiuso does not teach or suggest this element either. Accordingly, Claim 109 (and Claims 110 and 111 dependent therefrom) is patentable over Gaskill in view of Rinchiuso.

Application No. 10/018,005  
Reply to Office Action of February 27, 2006

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 59-116 is patentably distinguishing over the cited art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Edward Tracy  
Registration No. 47,998

I:\ATTY\ET\217204US\217204US-AMD5.27.06.DOC